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REMARKS

In the Office Action, the Examiner indicated that claims 1, 4, 6-11, and 13-14 are pending in the application and the Examiner rejected all claims.

Claims 1 and 11 have been amended.

Claim Rejections, 35 U.S.C. §103

On page 2 of the Office Action, the Examiner rejected claims 1, 4, 6-7, 11, and 13-14 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,856,804 to Ciotta and further in view of U.S. Patent No. 5,475,374 to Moore. On page 10 of the Office Action, the Examiner has rejected claims 8-10 under 35 U.S.C. §103(a) as being unpatentable over Ciotta and Moore, and further in view of U.S. Patent Application Publication No. 2002/0025823 to Hara.

Applicant traverses these rejections.

Neither Ciotta nor Moore disclose or suggest that the portable device transmits the signal to the communication controller by wireless communication based on an instruction from the instruction device without shifting from the disablement mode to the communication mode, as recited in claims 1 and 11. Rather, Ciotta discloses that when the power is off, mobile digital stations send a signal to the base station indicating that the particular mobile digital station is off (see column 8, lines 11-13). Moore discloses unpowering the receiver 314 and other portions including control circuitry 315 and maintaining a timing function for scheduling a return to the normal power mode by the control circuitry 315 during the low power mode (see column 5, lines

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6-8). Accordingly, even if Ciotta and Moore are combined, it is not possible to transmit a signal from the mobile digital station during the low power mode. Consequently, applicant submits that the present invention is not obvious over Ciotta in view of Moore.

Since Hara also does not disclose the above feature of the present invention of claim 1, and claims 8-10 depend from claim 1, those claims are patentable for at least the same reasons that claim 1 is patentable.

Conclusion

The present invention is not taught or suggested by the prior art. Accordingly, the Examiner is respectfully requested to reconsider and withdraw the rejection of the claims. An early Notice of Allowance is earnestly solicited.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-4364.

Respectfully submitted

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